

AO 91 (Rev. 08/09) Criminal Complaint

FILED

UNITED STATES DISTRICT COURT

OCT 24 2014

for the

Western District of TexasCLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY [Signature] DEPUTY

United States of America

v.

NIKOLINA MASKARIN

Case No. A-14-M-459Defendant(s)**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of October 22, 2014 in the county of Travis in the
Western District of Texas, the defendant(s) violated:*Code Section**Offense Description*

18 U.S.C. §§ 841 and 841(b)(1)(D)

Possession with Intent to Distribute Marijuana

This criminal complaint is based on these facts: SEE AFFIDAVIT

Continued on the attached sheet.

[Signature]
Complainant's signatureJason Jewett – APD – Detective

Printed name and title

Sworn to before me and signed in my presence.

Date:

October 24, 2014

City and state:

Austin, TX[Signature]
Judge's signatureMark Lane, U.S. Magistrate

Printed name and title

CRIMINAL COMPLAINT AFFIDAVIT – NIKOLINA MASKARIN

Your affiant received information from a confidential informant about a female living in Austin, Travis County, Texas who was having 100-200lbs of high grade marijuana shipped to Austin from Northern California. The confidential informant told your affiant this female was reported to use UPS to ship and receive the marijuana that would arrive in numerous large boxes. This female was identified to your affiant as Nikolina Maskarin w/f 03/02/1985.

On 10-22-2014, your affiant along with members of the Narcotics Conspiracy Unit located Maskarin's vehicle, a blue Kia Rio Tx Lp DF5J852 parked in the 2600 block of Willow Springs Dr. Austin, Travis County, Texas. Surveillance was set up on the vehicle and the related address at 2202 Lindell Ave which had been identified by the confidential informant as a location utilized as part of the marijuana distribution. Maskarin was observed driving the Kia and at a stop light at S. Congress and Live Oak. Your affiant observed a female he recognized by Texas DL photo as being Maskarin driving the vehicle. Investigators followed and observed Maskarin meeting with a Hispanic male later identified as Bobby Joe Hernandez at the residence at 2202 Lindell Avenue Austin, Travis County, Texas. Maskarin and Hernandez were seen going towards the garage apartment while Maskarin was carrying a blue shopping bag and a purse and black back pack. When she returned from the garage apartment she was no longer carrying the shopping bag. Maskarin got into a Ford F-150 truck being driven by Hernandez and the two left the area. This vehicle was identified by surveillance officers as being a gray 2013 Ford F-150 TX LP CPT7788.

Hernandez and Maskarin were followed to the UPS Store located at 2407 S. Congress Avenue. Maskarin was observed entering the store and later exiting with 7 large cardboard boxes measuring about 24"x14"x20". Hernandez and Maskarin then left the parking lot. Maskarin was observed exiting the vehicle near the intersection of S. Congress Ave and Oltorf St. Maskarin left the area on foot and Hernandez drove directly to IH35 and drove south on the interstate.

Kyle police Department Sergeant Oaks initiated a traffic stop on the 2013 Ford F-150 TX LP CPT7788. Upon making contact with Hernandez, Sergeant Oaks detected a strong odor of marijuana emanating from within the cab of the truck. Hernandez was removed from the vehicle and marijuana bud was located inside the vehicle. Hernandez admitted to the officer that he had recently smoked marijuana inside the vehicle and that the marijuana located inside the truck belonged to him.

Sergeant Oaks then requested Austin Police Department – Highway Interdiction Officer Hamilton 5153 make the scene to conduct a free air "sniff" with his Austin Police K9 "Raggio". Officer Hamilton observed Raggio provide an immediate positive alert to the odor of marijuana and or a controlled substance within the Ford F-150 and in or around the boxes located in the bed of the truck.


During this time Maskarin had walked back her vehicle parked near 2202 Lindell Avenue. Maskarin left in her Kia Rio and a short time later disappeared from sight in traffic. Detectives LaHood and Gall returned to her residence at 3601 Willow Springs and awaited her return. A short time later, Maskarin was observed arriving back at her residence in her blue Kia Rio. Based upon the probable cause of observing her receive the 7 boxes of suspected marijuana from UPS and transferring them to Hernandez immediately prior to his arrest, Maskarin was detained pending the ongoing investigation of her involvement in this marijuana distribution. Maskarin had in her possession receipts and shipping manifest for the 7 packages delivered to the UPS store and later delivered to Hernandez. The manifest shows "Attention Robert Austin". Your affiant believes this to be an Alias for Robert Matthews who lives at 2202 Lindell Ave. Robert Austin was the name found on the shipping labels on the boxes located in the 2013 Ford F-150 TX LP CPT7788.

Maskarin also had manifests for at least 7 more packages. An online check of the tracking numbers show the packages were also shipped from San Francisco to be delivered to the UPS store at 2407 S. Congress Avenue, Austin, Texas. The packages show to be arriving on Friday 10/23/2014. The manifest also shows "Attention Robert Austin". As mentioned above Robert Austin was the name found on the shipping labels on the boxes located in the 2013 Ford F-150 Texas LP CPT7788.

Search warrants were applied for and approved by Magistrate Clervi for the Ford F-150, Texas License Plate CPT7788, the seven boxes located in the truck and the Maskarin's Kia Rio Texas LP DF5J852.

Upon execution of the state search warrant, 74lbs of marijuana were found inside the boxes seen delivered from the UPS store by Maskarin and subsequently given to Hernandez. Inside each box was another box for a pelican case. Inside of this box was a black pelican case model 1620. In each pelican case were multiple vacuum sealed bags of marijuana each bag was approximately 1 lb. of marijuana. The packages were double bagged and labeled in black marker with a brand name/ flavor.

FURTHER AFFIANT SAYETH NAUGHT.

 3762

Detective Jason Jewett
Austin Police Department - Narcotics
Austin, Texas

Subscribed and sworn before me at Austin, Texas, on this 24th day of October, 2014.



UNITED STATES MAGISTRATE JUDGE